

## **REMARKS**

In view of the above amendments and the following remarks, reconsideration of the outstanding office action is respectfully requested.

By the present amendment, claims 1, 10, 11, and 13 have been amended and new claims 34-37 have been presented, so that claims 1, 10-13, 27, and 34-37 will be pending.

Claim 10 has been held allowable over the Gale reference and objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 10 has been rewritten in independent form by combining the subject matter of prior claims 1 and 10. Further, new claim 35 depends from amended claim 10 and relates to subject matter in a previously presented depending claim.

Accordingly, allowance of claims 10 and 35 is respectfully requested.

Claims 1, 11, 12 and 27 stand rejected under 35 U.S.C. 102(e) as being anticipated by Gale et al. US PG-Pub 2002/0191286 (“Gale”). This rejection is respectfully traversed.

Gale is said to disclose an optical polarizer film comprising a substrate (par. 17) having a subwavelength moth-eye structure (par. 3) including peaks and valleys and an intermittent surface (e.g. the slope-evaporated metal shown in Figs. 1b and 1c) covering at least a portion of the substrate and providing polarization.

Re claim 11, Gale is said to disclose the intermittent surface being a light-transmissive inhibiting surface covering at least some of the peaks (Fig. 1c).

Re claim 12, Gale is said to disclose a substantially transparent coating disposed on the polarizer film (par. 21).

Re claim 27, Gale is said to disclose a substantially transparent coating disposed on the polarizer film (par. 21).

Applicants submit that newly amended claim 1 is not anticipated by Gale since claim 1 has a priority date which predates the Gale reference. Claim 1 has been amended to replace the phrase “an intermittent” surface with the phrase “a light-transmissive inhibiting” surface. This amendment to claim 1 is supported in the present specification at least at page 1, lines 16-18, which discloses a light-transmissive inhibiting surface partially covering a subwavelength optical microstructure.

Moreover, presently amended claim 1 is further supported by parent Provisional Application No. 60/225,246, filed August 15, 2000, which predates the March 11, 2002 effective date of Gale. Figures 1-5 of the present specification are the same figures as the provisional application Figures 1-5. Regarding the text of present claim 1, “an optical polarizer film comprising a substrate having a subwavelength moth-eye structure” is set forth on page 4, lines 1-5 of the provisional application. The “moth-eye structure includes peaks and valleys,” is set forth on page 7, lines 25-26 of the provisional application. A “light-transmissive inhibiting surface covering at least a portion of the substrate and providing polarization” is set forth on page 8, lines 1-23 and Figures 3-5 of the provisional application. Therefore, presently amended claim 1 is supported by the provisional application and Gale is removed as a reference. Further, claims 11 (page 8, lines 1-3 and Fig. 1), 12, 27, and 35 (page 11, lines 8-9 and Fig. 15), and 34 (page 8, lines 3-4) depend from claim 1 and are also supported by the provisional application.

Accordingly, withdrawal of the record rejection under 35 U.S.C. 102(e) as being anticipated by Gale and allowance of claims 1, 11, 12, 27, 34, and 35 is respectfully requested.

Claim 13 stands rejected under 35 U.S.C. 102(e) as being anticipated by Gale. This rejection is respectfully traversed.

Gale is said to disclose a polarizer comprising at least one subwavelength optical microstructure (par. 3) including an undulating surface that includes an intermittent light-transmissive inhibiting surface in at least some raised areas of the microstructure (Figs. 1b and 1c).

Claim 13 has been amended to replace “an intermittent” light-transmissive inhibiting surface with “a” light-transmissive inhibiting surface, so as to be consistent with the text of claim 13 as originally filed. Therefore, the amendments to claim 13 are supported by the current specification. Further, an “undulating surface” is shown in Figure 1 of the provisional application, similar to the structure shown in Figures 1b and 1c of Gale. Therefore, presently amended claim 13 has a priority date supported by the provisional application which predates and removes Gale as a reference. Further, claims 36 (page 8, lines 3-4) and 37 (page 11, lines 8-9 and Fig. 15), depend from claim 13 and are also supported by the provisional application.

Accordingly, withdrawal of the record rejection under 35 U.S.C. 102(e) as being anticipated by Gale and allowance of claims 13, 36, and 37 is respectfully requested.

In view of all of the foregoing, applicant submits that this case is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

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